STATE OF CALIFORNIA - DEPARTMENT OF GENERAL SERVICES **PERSONNEL OPERATIONS MANUAL** POM

Family Medical Leave Act (FMLA)

Policy

It is the policy of the DGS to adhere to the FMLA in accordance with Federal law, which is administered by the U.S. Department of Labor (DOL).

Definition

The FMLA entitles eligible employees up to twelve (12) weeks of unpaid, job-protected leave each calendar year for specified family and medical reasons.

Employee eligibility

Employees are "eligible" if they have worked for at least one year and for 1,250 hours over the previous 12 months with the same employer (State of California).

Reasons for taking FMLA

DGS must grant unpaid leave to an eligible employee for one or more of the following reasons:

- For the care of the employee's child (birth, placement for adoptions, or foster care);
- For the care of the employee's spouse, son or daughter, or parent, who has a serious health condition; or,
- For a serious health condition that makes the employee unable to perform his/her job.

Process and procedure

The FMLA process and procedures are located on Human Resources Memoranda HR 00-032 and HR 02-021. These memoranda can be accessed at http://orim.dgs.ca.gov or http://hr.dgs.ca.gov under Employee Services.

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Family Medical Leave Act (FMLA), Continued

FMLA decision tree

The FMLA decision tree (chart) can be found on the following page of this section.

Resources

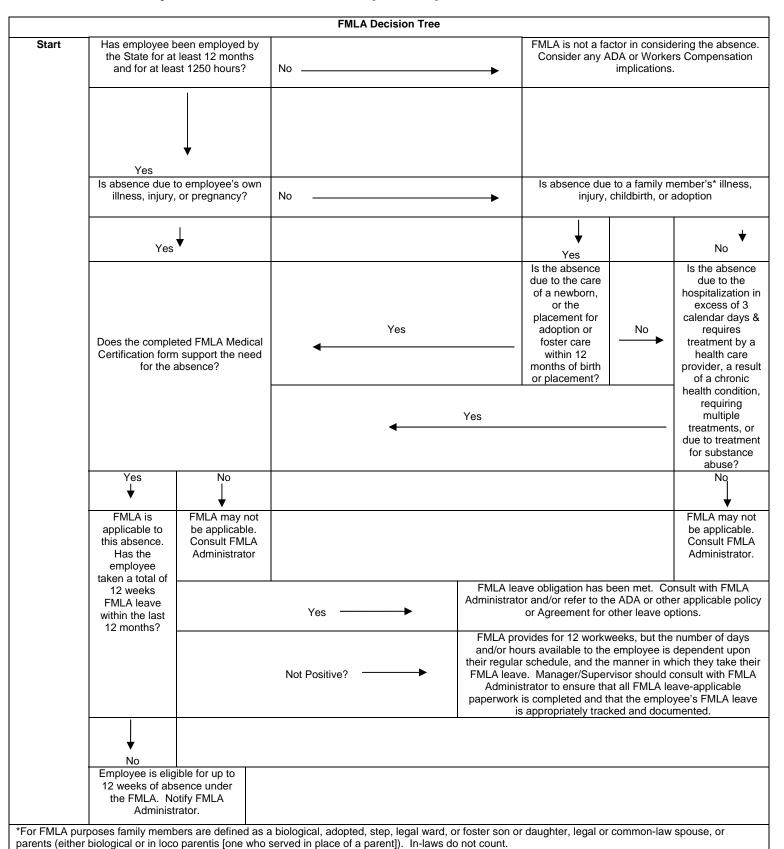
The table below depicts the various resources available regarding FMLA.

Resource	Section
Human Resources Memoranda http://www.ohr.dgs.ca.gov/HRMem os/default.htm	HR00-32, HR00-32A, HR02-021
Law and Regulation http://www.dol.gov/dol/allcfr/Title_2 9/Part_825/toc.htm	Code of Federal Regulation (CFR) 29
Responsible Control Agency and Program http://www.dol.gov/dol/regs/cfr/main.htm http://www.dol.gov/esa/whd/fmla/	Department of Labor (DOL), DPA
DPA/SPB Policy Memos http://www.dpa.ca.gov/statesys/dpa/srchfpml.shtm	PML: 2002-041
Other:	
DPA	www.dpa.ca.gov
DGS HR Tools	http://orim.dgs.ca.gov/FMLA/Defaul t.htm http://www.hrtools.com/Frames.asp
	?Category=4&Toolkit=8

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